

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

VINCENT A. PARKER,)	CASE NO. 1:07 CV 386
)	
Petitioner,)	
)	
v.)	JUDGE DONALD C. NUGENT
)	
MICHAEL SHEETS, Warden,)	Magistrate Judge William H. Baughman, Jr.
)	
Respondent.)	<u>ORDER</u>

For the reasons stated in the Memorandum Opinion issued contemporaneously herewith, the Report and Recommendation of the Magistrate Judge (Docket #22) is hereby MODIFIED to reflect the fact that Petitioner's First, Second and Third Grounds for relief are time-barred and Petitioner's Fourth, Fifth and Sixth Grounds for relief are dismissed as they are procedurally defaulted and otherwise without merit. The Petition (Docket #1) is hereby DISMISSED in its entirety and the Motion to Amend filed by Petitioner (Docket #s 15 and 16) is hereby DENIED

Further, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); FED. R. APP. P. 22(b).

IT IS SO ORDERED.

s/ Donald C. Nugent
DONALD C. NUGENT
United States District Judge

DATED: March 25, 2009